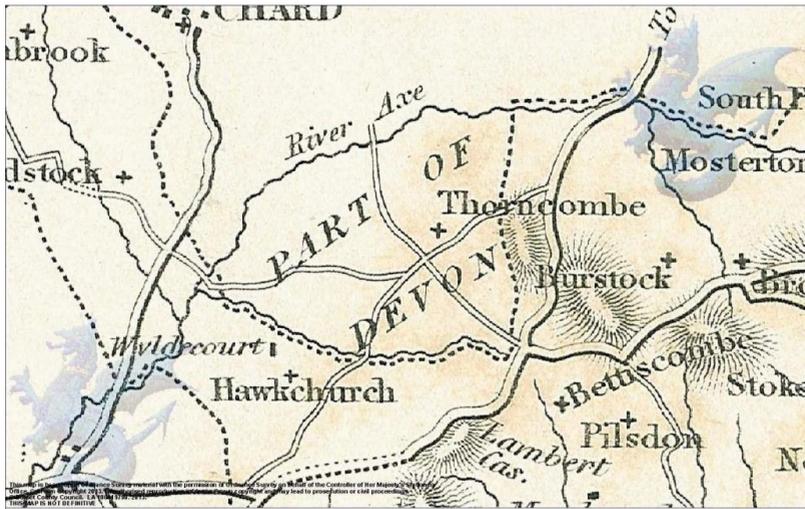


Thorncombe – a tale of three counties.

A story of changing boundaries.



1831 Creighton map of Dorset from Dorset Explorer

DorsetExplorer.com
Date: 20/1/2013
Easting: 23694
Northing: 93139
Scale: 1:50000

J. W. Hart

Acknowledgements:

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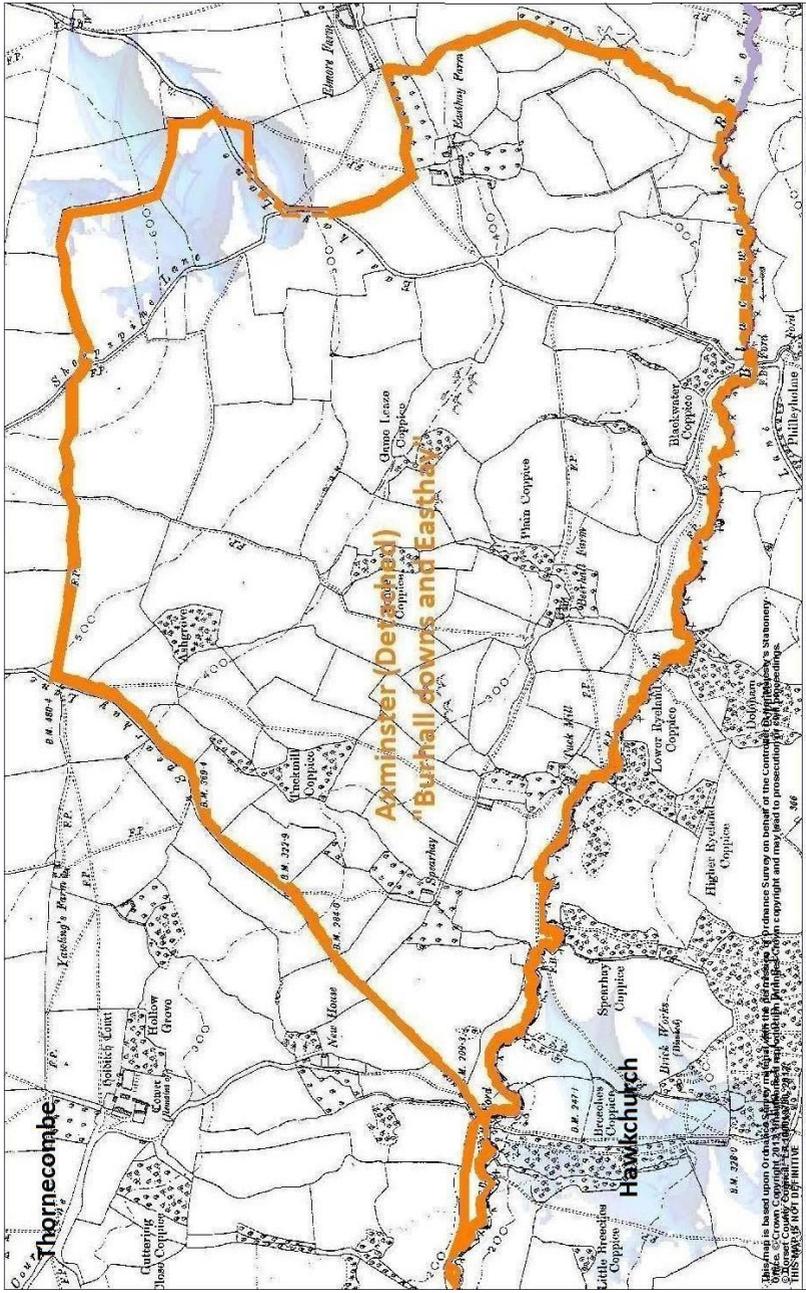
Thorncombe – a tale of three Counties

Thorncombe is a Dorset parish, lying in the corner where Dorset, Devon and Somerset meet. It is bordered by the Devon parishes of Hawkchurch and Chardstock, the Somerset parishes of Tatworth & Forton and Winsham, and by the Dorset parishes of Broadwindsor and Marshwood. It is part of the area administered by West Dorset District Council. The civil parish is divided ecclesiastically, with the main part in the Two Shires Benefice with Somerset parishes in the diocese of Bath and Wells, and a smaller area in the south in the Golden Cap team ministry in the Diocese of Salisbury with parishes in Devon and Dorset. In Parliamentary elections the residents vote in the West Dorset constituency.

Prior to 1832, practically nothing in the preceding paragraph would have been correct.

As the 1831 Creighton map of Dorset shows, Thorncombe at this time was a Devon parish, separated from the main part of Devon by the Dorset parishes of Hawkchurch and Chardstock. This Devon exclave also contained a detached part of Axminster parish, the tithing of Beerhall, lying between Thorncombe and Hawkchurch. To the north this part of Devon was bordered by the Somerset parishes of Chard and Winsham with the boundary following the River Axe, and to the east by the Somerset parish of Wayford and the Dorset parish of Broadwindsor, and to the south a short boundary with the Dorset parish of Marshwood. It is part of Axminster Hundred. The two ecclesiastical parishes are part of the diocese of Exeter, and in Parliamentary elections the few residents entitled to vote would elect one of the two Knights of the Shire for Devon.

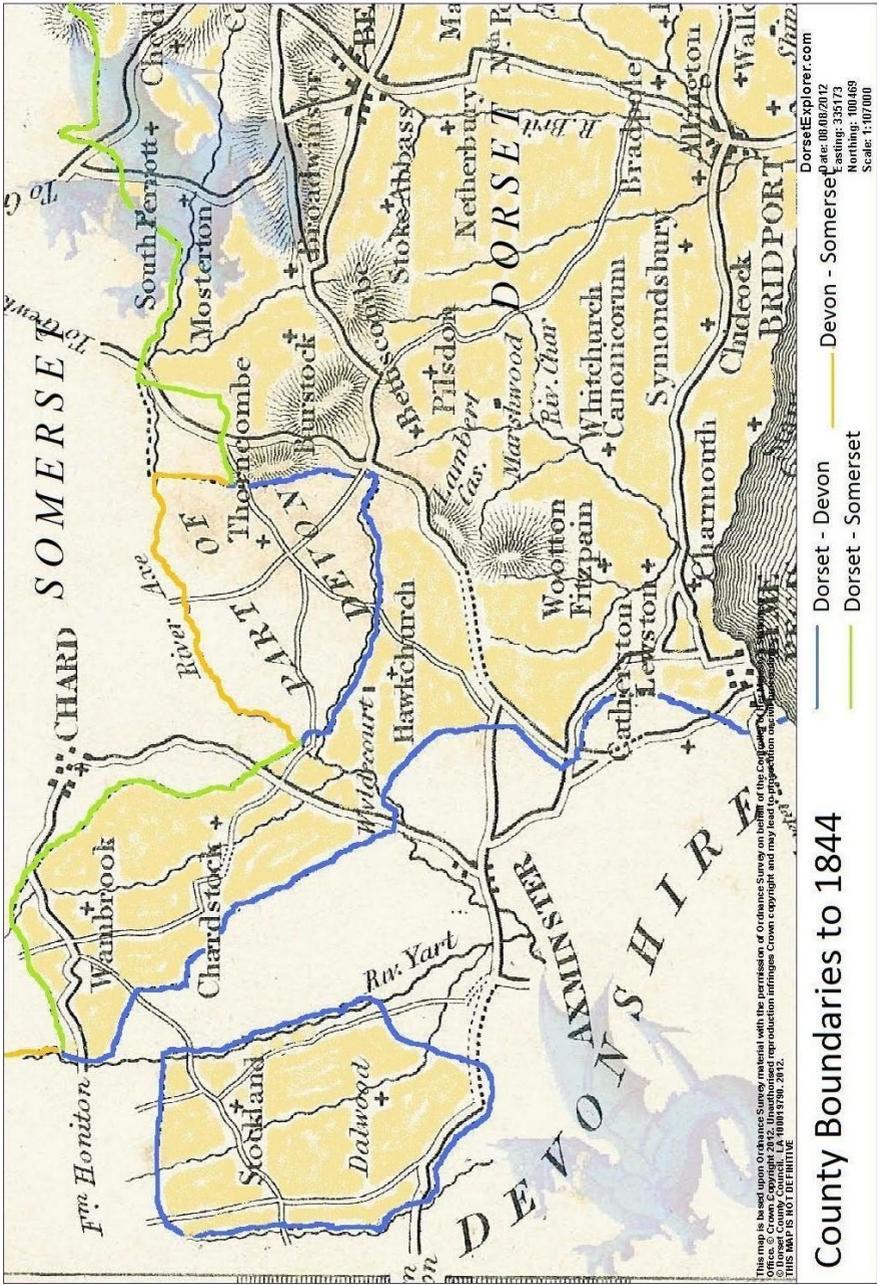
The boundaries of the detached part of Axminster Parish are shown on the Dorset Explorer second edition 6" map on page 2 in orange.¹ The boundary between Thorncombe and Hawkchurch is shown in mauve.



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 Scale: 1:3000

Boundaries of the detached part of Axminster Parish; the Tithing of Beerhall and Easthay, from the Axminster Tithe Map.

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The boundaries of Dorset shown on the 1831 Creighton map of Dorset on page 3 were very different from the modern boundaries.

The three Dorset parishes of Wambrook, Chardstock and Hawkchurch together form a long arm of Dorset reaching out to the north west, separating Devon and Somerset.

An exclave of Dorset, the parish of Stockland and the township of Dalwood is isolated from the rest of the county by the Devon parish of Membury. Thorncombe and the detached part of Axminster are similarly an exclave of Devon, separated from the main part of the county by Hawkchurch, and bordered by Somerset to the north and east. Note that there is a mistake in the 1831 map above – at this time there was a large area of Wayford south of the River Axe.

These parishes in and around the Devon exclave belonged to a number of different Hundreds and Liberties. Thorncombe and the detached part of Axminster parish were in Axminster Hundred. The Somerset parishes of Chard and Winsham were in East Kingsbury Hundred and Wayford in Crewkerne Hundred.ⁱⁱ The Dorset parish of Broadwindsor was a Liberty, Marshwood was in Whitchurch Canonorum Hundred, part of Hawkchurch (Wylde Court Tithing) was in Cerne, Totcombe and Modbury Hundred and part (Phillyholme Tithing) in Uggscombe Hundred. Chardstock was in Beaminster Hundred.ⁱⁱⁱ

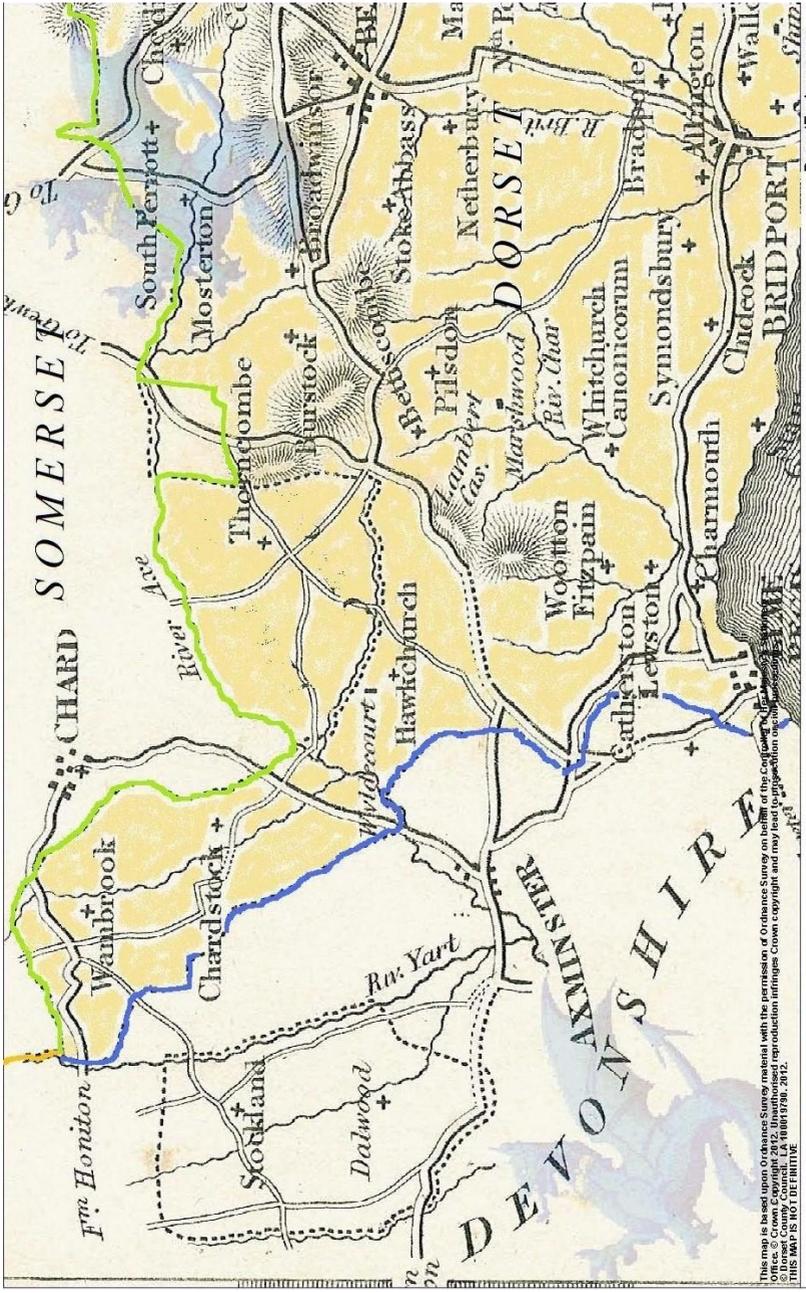
The first step in the move towards change was the Great Reform Act of 1832 (2 Wm IV c. 45)^{iv} which made changes to the Parliamentary constituencies and the voting system. The details of the changes to the different constituencies were included in the Parliamentary Boundaries Act (2 & 3 Wm IV c 64), adopted shortly afterwards. This Act set out the boundaries for new electoral divisions in Devon and Somerset and made provision for the detached parts of counties (of which there were many in England and Wales) to vote in the counties in which they were enclaves. Thorncombe

Parish and part of Axminster Parish “namely Burhall Downs and Easthay” were transferred from the Devon to the Dorset electoral district, and Stockland Parish and Dalwood Township were transferred from the Dorset to the Devon electoral district under this Act.

The changes to the Parliamentary Boundaries in 1832 were quickly echoed by a change to the Ecclesiastical boundaries for these parishes. An Order in Council of the 5th October 1836 ^v transferred Thorncombe ^{vi} Parish from the Diocese of Exeter to the Diocese of Salisbury. ^{vii}

A further step towards integrating Thorncombe in Dorset occurred in 1839 when the ‘Act for the better Administration of Justice in detached Parts of Counties’ (2 & 3 Vict. c. 82) allowed Justices of the Peace to act as Justices ‘in all things whatsoever concerning or in anywise relating to any detached Part of any other County which is surrounded in whole or in part by the County for which such Justice or Justices acts or act’. Whilst primarily directed at criminal matters (the following provisions deal with Offenders), the wording give the Justices the power to act *in all things whatsoever*.

The final step in transferring Thorncombe to Dorset came in 1844 with the passing of ‘An Act to annexed detached parts of Counties to the Counties in which they are situated.’ (7 & 8 Vict. c. 61). This quite short Act transferred for civil purposes the areas transferred for Parliamentary purposes under the 1832 Parliamentary Boundaries Act. This Act also stipulated that these parts ‘shall henceforth be taken to be Part of the Hundred, Wapentake, Ward, Rape, Lathe, or other like Division by which it is wholly or for the most part surrounded, or to which it is next adjoining.’ As a result, Thorncombe and the detached part of Axminster both became part of Uggscombe Hundred. ^{viii} This changed the shape of Dorset quite significantly with the disappearance of the Stockland and Dalwood exclave, and the incorporation of Thorncombe and the detached part of Axminster in the main body of the county (see the map on page 6).



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 Scale: 1:107000

— Dorset - Devon
 — Devon - Somerset
 — Dorset - Somerset

County Boundaries 1844 - 1884

At the same time, other administrative units were being formed that retained the links to Devon. Thorncombe, Hawkchurch and Chardstock were all part of the Axminster Poor Law Union, and subsequently part of the Axminster Registration District. With the creation of Sanitary Districts as a result of the 1875 Public Health Act (38 & 39 Vict., c 55), the three parishes^{ix} also became part of the Axminster Rural Sanitary District.

The increasing complexity of local government led to a move to rationalise parish boundaries to simplify administration. A series of Acts^x were passed to provide a legal basis to tidy up boundaries where there were detached parts of parishes. This legislation was used to transfer the detached part of Axminster, the “Tything of Beerhall”, to Thorncombe under Local Government Board Order 15945. Young’s *Guide*^{xi} puts the date that the transfer came into effect as the 24th March 1884. According to the Census of 1891, this resulted in the transfer of 2 inhabited houses and a population of 10.^{xii} As Thorncombe and Axminster were both in the same Poor Law Union and Sanitary District, this amalgamation resulted in no changes to either the Union or the District. On the same date in 1884 an outlying part of Chardstock parish to the west of Wambrook was transferred to Dorset with a change to the county boundary at its western tip.

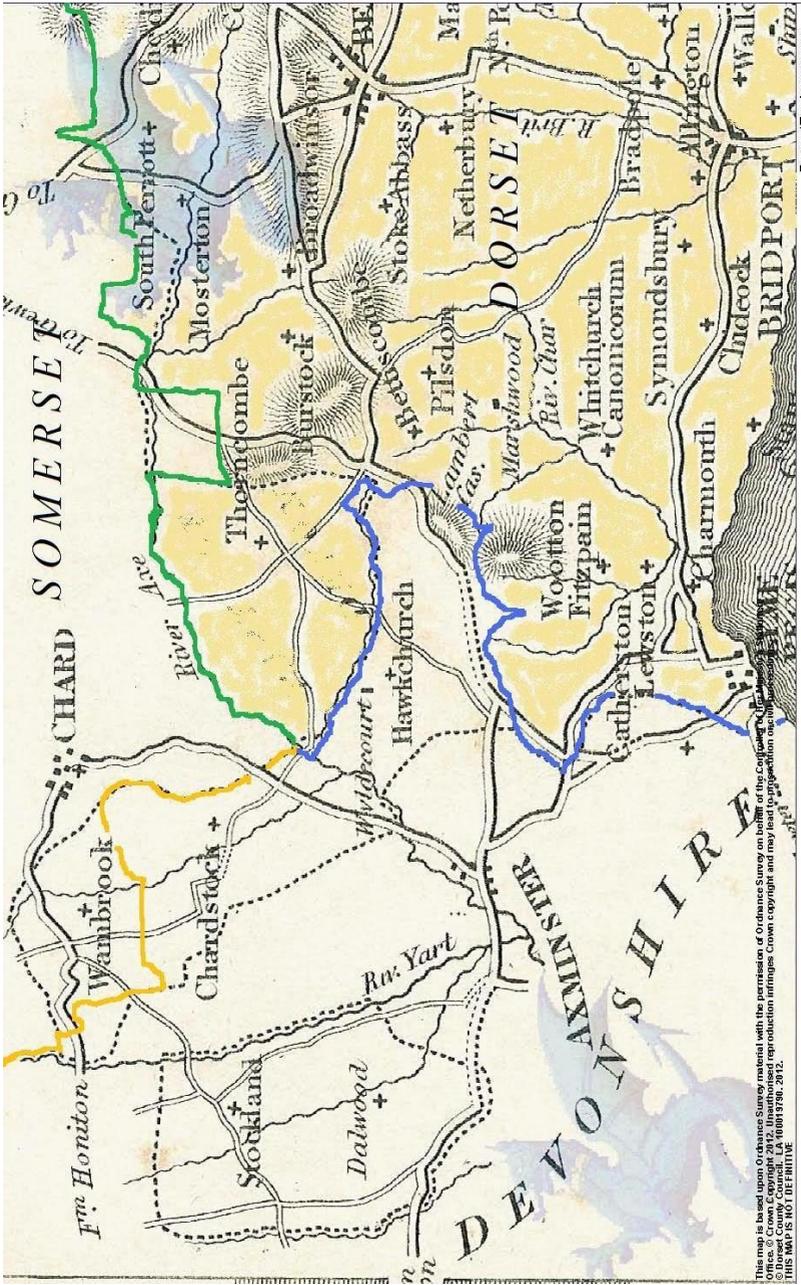
In 1885, the parliamentary constituencies were changed, and Dorset was divided into four Divisions, each with one MP. Thorncombe (now including Beerhall and Easthay) formed part of the Dorset Western Division.

The next administrative changes did not affect the Thorncombe boundaries directly, but did change its relationship to the neighbouring parishes of Hawkchurch and Chardstock. The Local Government Act of 1888 (51 & 52 Vict., c 41), followed by the Local Government Act of 1894 (57 & 58 Vict. c 58) introduced major reforms. The 1888 Act created elected County Councils and also gave them the responsibility to define areas, and to ensure that no parish or district extended into another county. The 1894 Act created Urban and Rural District Councils, based on the existing Urban and Rural Sanitary

Districts which were abolished by the legislation. However, the Dorset parishes of Hawkchurch, Chardstock and Thorncombe (now including the previously detached part of Axminster) were in the Axminster Rural Sanitary District in Devon, whilst Wambrook was in Chard Rural Sanitary District in Somerset. With the abolition of the Rural Sanitary Districts and their replacement by Rural Districts which all had to be within the same County, these anomalies needed to be resolved, and this made boundary changes inevitable.

Thorncombe remained in Dorset, and instead of becoming part of Axminster Rural District became part of Beaminster Rural District. The other three Dorset parishes, Wambrook, Chardstock and Hawkchurch were transferred to the counties to whose Rural Sanitary Districts they had belonged. Wambrook was transferred to Somerset with effect from 31st March 1896 ^{xiii} and six months later Chardstock and Hawkchurch were transferred to Devon with effect from the 30th September 1896. ^{xiv}

Once again, this changed the shape of the county quite significantly with the disappearance of the whole of the promontory of Dorset dividing Devon and Somerset, and the transfer of a large area to the south of Thorncombe including Lamberts Castle to Devon (see map on page 9).



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Dorset - Devon
 Dorset - Somerset
 Devon - Somerset

County Boundaries from 31st September 1896 to 1st January 1966

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 Scale: 1:107000

In the years after the reforms of the 1890s and the next major local government reform in 1974, many other smaller changes occurred.

The Ministry of Health Act of 1919 (9 & 10 Geo. V, c 21) made the Ministry of Health responsible for administering boundary changes. In 1933, a Memorial from the Clerks of Devon, Dorset and Somerset County Councils was presented to the Minister of Health under Section 140 of the Local Government Act, 1933. ^{xv} This Memorial proposed changes to the boundaries between Dorset, Somerset and Wilts, including a proposal to transfer to Dorset from Somerset 'that part of Wayford that lies south of the River Axe'. The reasons given were to use the River Axe as a natural boundary and to 'remove the inconvenient promontory into Dorset formed by the present irregular boundary'. The proposal would also bring economies in the costs of road maintenance. The proposal was sent for consultation with the District and Parish Councils concerned. Chard Rural District Council and Wayford Parish Council preferred that if any changes were to be made, then areas to the east and west of Wayford should be transferred to Somerset. 'Your Memorialists, however, consider that the River Axe is the better boundary'. This proposal was not implemented until 1966.

The Local Government Act of 1958 (6 & 7 Eliz.2 c.55) introduced a Local Government Commission for England which carried on working until 1967. R. L. C. Wood ^{xvi} has provided an extensive account of the discussions on the County Boundary in this area that took place under this legislation.

The Hancock Commission was set up under the 1958 Local Government Act, and among proposals considered was the 1933 proposal to transfer to Dorset of the 'part of the Chard parish of Wayford south of the River Axe', as well as the transfer to Somerset of 'that part of Thorncombe lying between the former and present line of the River Axe'. Somerset suggested instead the transfer of a larger area of Thorncombe including an industrial area known as 'Yonder Hill' just to the south of the River Axe close to Chard

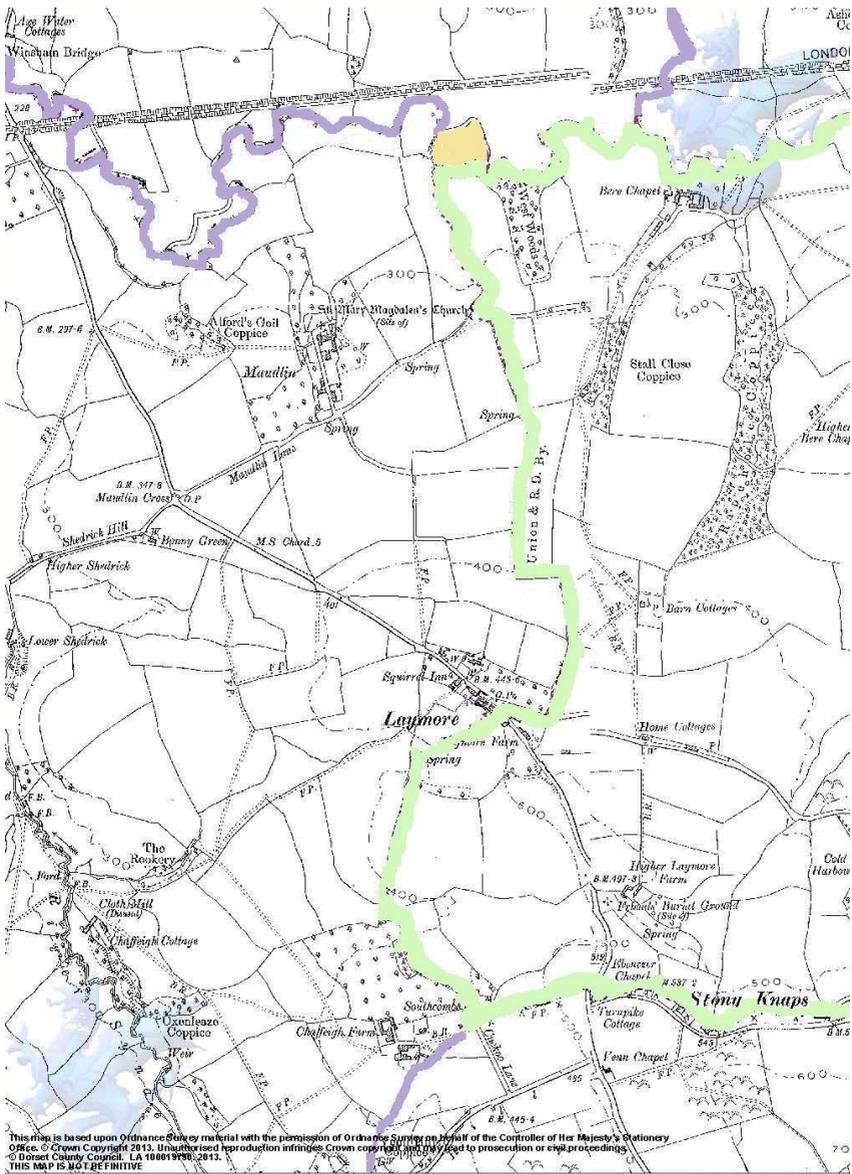
Junction. This suggestion was accepted by the Commission, and although opposed by Dorset County Council and Beaminster Rural District Council at a Ministry inquiry in September 1963, the suggestion was adopted, together with changes to the boundary at Wayford. With regard to the Dorset-Devon border, Dorset suggested that Hawkchurch was returned, but this was opposed by Devon County Council. These proposals were referred to Commissioners, who recommended the transfer of part of Hawkchurch to Dorset 'including the ridge and skyline including Lambert's Castle overlooking Marshwood Vale'.

These proposals ended as the many adjustments to the county boundaries in the 1965 South Western Counties Order (SI 1965/2086) which came into effect on 1st April 1966.^{xvii} These changes are shown on the three maps on pages 12 - 14. The three maps are at approximately the same scale as the map of the detached part of Axminster parish above, so these give an idea of the different areas involved.

The largest change to the Thorncombe boundaries was the gain of 107 acres transferred from Hawkchurch (the border of this area is outlined in blue on the map on page 12). Dorset gained an additional 88 acres from Hawkchurch transferred to Marshwood (part of the border outlined in brown), including Lambert's Castle.

Thorncombe also gained one acre from Chard in Somerset (outlined in red on the map on page 13). However, Chard gained 21 acres of Thorncombe (boundaries outlined in yellow), including the Industrial estate at Yonder Hill.

To the east, the boundaries of Thorncombe remained unchanged, but a large area on the other side of the parish boundary was transferred from Somerset to Dorset (see map on page 14). Dorset gained an additional 390 acres from Somerset: 1 acre of Winsham (outlined in beige) and 389 acres of Wayford (part of the boundary outlined in green) was transferred to Broadwindsor (Dorset).^{xviii}



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Areas transferred from Winsham and Wayford to Broadwindsor

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 Scale: 1:9000

In 1948 the Parliamentary constituency changed from the Dorset Western Division to the West Dorset County Constituency.

The main effect of the Local Government Act of 1972 (c. 70) in this area was the abolition of Rural and Urban District Councils and their amalgamation into larger District Councils, which came into effect on 1st April 1974. In Dorset, West Dorset District Council was formed as a merger of the boroughs of Bridport, Dorchester and Lyme Regis, Sherborne Urban District Council and the Rural District Councils of Beaminster, Bridport, Dorchester and Sherborne. In Devon, East Devon District Council was formed by the merger of the borough of Honiton with the urban districts of Budleigh Salterton, Exmouth, Ottery St. Mary, Seaton, Sidmouth and the rural districts of Axminster, Honiton and part of St. Thomas. In Somerset, South Somerset District Council was formed by the merger of the municipal boroughs of Chard and Yeovil with the urban districts of Crewkerne and Ilminster and the rural districts of Chard, Langport, Wincanton and Yeovil. The Council was originally known as Yeovil District Council, adopting its present name in 1985.^{xix}

On 1st November 1985, Chard Parish Council changed its name (but not its boundaries) to Tatworth and Forton Parish Council.^{xx}

Thorncombe ecclesiastical parish remained an independent benefice in the Diocese of Salisbury from its transfer from Exeter Diocese in 1838 until 1980 when it was united with the Somerset benefice of Winsham with Cricket St. Thomas in the diocese of Bath and Wells.^{xxi} According to Wikipedia, the ecclesiastical parish of Thorncombe was transferred from the Diocese of Salisbury to the Diocese of Bath and Wells in 1982, at the time when it became a united benefice with Winsham and Cricket St Thomas.^{xxii} Again, according to Wikipedia, in 1999 the parishes joined with others to form the Chard and District Team Ministry and in 2006 Thorncombe together with Winsham was linked with Tatworth, Chaffcombe and Cricket Malherbie with Knowle St Giles to form the Two Shires Benefice.^{xxiii}

Unlike Thorncombe, the detached part of Axminster parish was not transferred to the Diocese of Salisbury in 1838 and this remained part of Axminster Ecclesiastical Parish (Axminster, St. Mary the Virgin) in Exeter Diocese until 1988. An Order in Council transferred the detached part of Axminster Parish ^{xxiv} to the parish of Hawkchurch and the Diocese of Salisbury. ^{xxv} The Benefice of Marshwood Vale was formed at the same time, including parishes in both Devon and Dorset, later becoming part of the present Golden Cap Team Ministry. ^{xxvi}

The original division of the area in two separate parishes is thus retained in the present day ecclesiastical parishes.

NOTES AND REFERENCES.

ⁱ The boundaries have been copied from the 1843 tithe maps of Thorncombe in the Dorset History Centre and Axminster in the Devon Record Office.

ⁱⁱ Frederic A Youngs Jr., *Guide to the Local Administrative Units of England, Volume 1: Southern England*. The Royal Historical Society, 1979.

ⁱⁱⁱ Edward Boswell, *The Civil Division of the County of Dorset methodically digested and arranged: with a complete Nomina Villarum, in four parts*. Sherborne, 1795.

^{iv} Acts passed before 1 January 1963 are cited by session and chapter. The session of parliament in which the Act was passed is referred to by the regnal year or years of the reigning Monarch and their name, which is usually abbreviated. This is followed by "c", abbreviation for chapter and then a sequential number.

^v Published three times in the London Gazette: 7th October 1836, 19426 pp 1731 - 1734; 11th October, 19427, pp 1761-1762; 18th October, 19429 pp 1807-1808.

^{vi} The parish is spelt 'Thornecomb' in the Order.

^{vii} The detached part of Axminster is not listed in the Order, and remained in Exeter Diocese until 1988.

^{viii} Hutchins gives the date of the transfer incorrectly as 1842, and says that the parish was transferred to Hawkchurch Hundred. Hutchins, *The History And Antiquities Of The County of Dorset*. Corrected, Augmented & Improved By William

Shipp & James Whitworth Hodson. Third Edition. 1868, Reprinted in a facsimile edition by EP Publishing Ltd. In 1973 ISBN for the set of four volumes: 0-85409-974-3. *ibid.* Volume 3, p. 525

^{ix} The detached part of Axminster Parish was also part of the Axminster Poor Law Union and Sanitary District.

^x The Divided Parishes and Poor Law Amendment Act of 15th August 1876 (39 & 40 Vict. c. 61), the Poor Law Act of 15th August 1879 (42 & 43 Vict. c. 54) and the Divided Parishes and Poor Law Amendment Act of 18th August 1882 (45 & 46 Vict. c. 58)

^{xi} Frederic A Youngs Jr., *Guide*. pp. 99 & 120. Note that Youngs *Guide* incorrectly places Thorncombe as originally in Dorset.

The OS Boundary Survey for the Thorncombe – Hawkchurch boundary was carried out in 1885, after this boundary change. A note on page 2 of the Boundary Remarks Book in the National Archives at Kew (OS 26/3006) states that ‘The bdys. in the Book are ascertained in accordance with LGB Order No. 15,945 Dated 23rd November 1883’ and signed by the Surveyor, J. Harper.

^{xii} Content associated with: *Census of England and Wales, 1891: Population. Registration areas and sanitary districts, England and Wales*. Vol. II, 1891. p. 503. <http://www.histpop.org/ohpr/servlet/AssociatedPageBrowser?path=Browse&active=yes&mno=66&tocstate=expandnew&display=sections&display=tables&display=pages&pagetitles&pageseq=546&associtle=Census%20of%20England%20and%20Wales,%201891>

^{xiii} The Local Government Board Provisional Order “The Counties of Dorset & Somerset (Goathill &c) Order 1895” of 27th May 1895, confirmed by Parliamentary Statute “The Provisional Orders Confirmation Act (No. 12) 1895” (58 & 59 Vict., c. xci) of 6th July 1895.

^{xiv} The Local Government Board Provisional Order - “The County of Devon (Chardstock and Hawkchurch) Order 1896” of 23rd March 1896 confirmed by Parliamentary Statute – “The Provisional Orders Confirmation Act (No. 3) 1896” (59 & 60 Vict., c.lxxv) on 2nd July 1896.

^{xv} Q\RUP/664 in the Somerset Heritage Centre.

^{xvi} R L C Wood. *Dorset, The County Boundary*. 1981. Available from Dorset County Library.

^{xvii} The Order was made on the 8th December 1965, laid before Parliament on the 17th December 1965 and the changes came into effect on the 1st April 1966.

^{xviii} Figures taken from the Vision of Britain website.

^{xix} Yeovil District Council Order Yeovil District renamed South Somerset District 1985. <http://www.lgbce.org.uk/records-and-resources/database-of-local-government-orders/south-west/somerset>

^{xx} South Somerset District Council Order Parish Name Change. Chard CP to Tatworth and Forton CP 1985. <http://www.lgbce.org.uk/records-and-resources/database-of-local-government-orders/south-west/somerset>

This change was to Chard Civil Parish and not to Chard Borough which had become a Town Council following the 1972 Local Government Act changes.

^{xxi} London Gazette, 19th February 1980. No. 48103, pp. 2651 – 2652.

^{xxii} From Wikipedia: <http://en.wikipedia.org/wiki/Thorncombe>. However, the Order published in the London Gazette makes clear the Benefices were united in 1980.

^{xxiii} From Wikipedia: <http://en.wikipedia.org/wiki/Thorncombe>

^{xxiv} The map attached to the Pastoral scheme showing the boundaries of the detached part of Axminster Parish to be transferred to Hawkchurch is not identical with the area shown on the Thorncombe and Axminster Tithe maps, and excludes an area including Easthay Farm to the east and a field immediately to the north of the river to the west.

^{xxv} Order in Council of 22nd June, 1988. Transfer of the detached part of Axminster parish in the diocese of Exeter to the parish of Hawkchurch in the diocese of Salisbury, and the creation of the Marshwood Vale Benefice comprising the parishes of Bettiscombe and Pilsdon, Marshwood, Whitchurch Canonorum with Stanton St Gabriel and Fishpond, the parish of Wootton Fitzpaine, the parish of Monkton Wyld and the parish of Hawkchurch (which now included the former detached part of Axminster parish).

^{xxvi} D/166/32 in Wiltshire and Swindon Archives. Creation of the Golden Cap team ministry including Lyme Regis, Chideock, Hawkchurch, Marshwood Vale, Charmouth and Catherston Leweston.